

**NOTES OF THE  
AGENDA BRIEFING FORUM  
HELD ON  
TUESDAY 5 MAY 2015  
COMMENCING AT 6.30PM  
AT THE MELVILLE CIVIC CENTRE  
2<sup>ND</sup> FLOOR IN THE COUNCIL CHAMBERS  
10 ALMONDBURY ROAD, BOORAGOON**

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**DISTRIBUTED: 8 MAY 2015**

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Notes of the Agenda Briefing Forum held in the Council Chambers, Melville Civic Centre, 10 Almondbury Road, Booragoon, on Tuesday 5 May 2015, commenced at 6.30pm.

## 1. OFFICIAL OPENING

The Presiding Member welcomed those in attendance to the meeting and declared the meeting open at 6.30pm. Mr J Clark, Governance and Compliance Program Manager, read aloud the Disclaimer and the Purpose of the Agenda Briefing Forum and then the Mayor advised that the meeting was being recorded for minute taking purposes and read aloud the following Affirmation of Civic Duty and Responsibility.

### **Affirmation of Civic Duty and Responsibility**

I make this Affirmation in good faith on behalf of Elected Members and Officers of the City of Melville. We collectively declare that we will duly, faithfully, honestly, and with integrity fulfil the duties of our respective office and positions for all the people in the district according to the best of our judgement and ability. We will observe the City's Code of Conduct and Standing Orders to ensure the efficient, effective and orderly decision making within this forum.

## **AGENDA BRIEFING FORUM BRIEFING NOTES**

## 2. PRESENT

His Worship the Mayor, Russell Aubrey

### **COUNCILLORS**

Cr N Foxton (Deputy Mayor)  
Cr N Pazolli, Cr C Schuster  
Cr J Barton Cr S Taylor-Rees  
Cr D Macphail,  
Cr P Phelan  
Cr R Willis, Cr C Robartson

### **WARD**

University,  
Applecross / Mount Pleasant  
Bicton / Attadale  
City  
Palmyra/Melville/Willagee Ward  
Bull Creek / Leeming

## 3. IN ATTENDANCE

Dr S Silcox	Chief Executive Officer
Mr M Tieleman	Director Corporate Services
Ms K Brosztl	A/Director Technical Services
Ms C Young	Director Community Development
Mr S Cope	Director Urban Planning
Mr L Hitchcock	Executive Manager Legal Services
Mr G Ponton	Manager Strategic Urban Planning
Mr M Spencer (until 9.48)	Senior Strategic Urban Planning
Mr P Prendergast (until 8.28)	Manager Statutory Planning
Ms J Wardell-Johnson (until 7.50)	A/Planning Services Coordinator
Ms L Hartill (until 8.40)	Manager Neighbourhood Development
Mr P Kellick (until 9.36pm)	Manager Asset Management
Mr W Nicholls (from 8.49pm-9.55pm)	A/Senior Management Accountant
Mr B Taylor (from 8.49pm-9.55pm)	Manager Financial Services
Mr J Clark	Governance and Compliance Program Manager
Mr N Fimmano	Governance and Property Officer

At the commencement of the meeting there were seven members of the public and no members from the Press in the Public Gallery.

**4. APOLOGIES**

**4.1 APOLOGIES**

Nil

**4.2 APPROVED LEAVE OF ABSENCE**

Cr R Aubrey – City Ward  
Cr M Reynolds – University Ward

**5. ANNOUNCEMENTS BY THE PRESIDING MEMBER (WITHOUT DISCUSSION) AND DECLARATIONS BY MEMBERS**

**5.1 DECLARATIONS BY MEMBERS WHO HAVE NOT READ AND GIVEN DUE CONSIDERATION TO ALL MATTERS CONTAINED IN THE BUSINESS PAPERS PRESENTED BEFORE THE MEETING.**

Nil

**5.2 DECLARATIONS BY MEMBERS WHO HAVE RECEIVED AND NOT READ THE ELECTED MEMBERS BULLETIN.**

Nil

**6. QUESTION TIME**

Nil

**7. DISCLOSURE OF INTEREST**

P15/3627 – Mayor Aubrey –Proximity Interest

**8. DEPUTATIONS**

P15/3636 – Mr Amir Meshkin – Resident of the Neighbouring Property  
P15/3628 – Mr Tayne Evershed – Planning Solutions representing Fresh Produce WA

**9. PETITION**

Nil

**10. IDENTIFICATION OF MATTERS FOR WHICH THE MEETING MAY BE CLOSED**

Nil

**11 REQUEST OF ITEMS BROUGHT FORWARD**

Nil

**12 REPORTS BY THE CHIEF EXECUTIVE OFFICER**

Nil

**13 BUSINESS**

## **PROCEDURE FOR AGENDA BRIEFING FORUMS**

### **PRINCIPLES**

The Agenda Briefing Forum which occurs two weeks prior to the Council meeting provides an opportunity for Elected Members to ask questions and clarify issues relevant to the specific agenda items before Council. The briefing is not a decision-making forum and the Council has no power to make decisions in the Forum.

In order to ensure full transparency the meetings will be open to the public to observe the process. Where matters are of a confidential nature, they will be deferred to the conclusion of the briefing and at that point the briefing session closed to the public. The reports provided are the officers' professional opinions. While it is acknowledged that Members may raise issues that have not been considered in the formulation of the report and recommendation, it is a basic principle that as part of the briefing sessions Elected Members cannot direct officers to change their reports or recommendations.

### **PROCESS**

The Agenda Briefing Forum will commence at 6.30 pm in accordance with the Schedule of Public Meetings (except January). It will be chaired by His Worship the Mayor or in his absence, the Deputy Mayor or in his/her absence the immediate past serving Deputy Mayor. In the absence of all, Elected Members will elect a Presiding member from amongst those present. In general, Standing Orders will apply, EXCEPT THAT Members may speak more than once on any item and there is no moving or seconding of items.

Where an interest is involved in relation to an item, the same procedure which applies to Ordinary Meeting of Council will apply. It is a breach of the City's Code of Conduct for an interest to not be declared. The briefing will consider items on the agenda only and proceed to deal with each item as they appear. The process will be for the Presiding Member to call each item number in sequence and ask for questions. Where there are no questions regarding the item, the briefing will proceed to the next item.

### **AGENDA CONTENTS**

While every endeavour is made to ensure that all items to be presented to Council at the formal council meeting are included in the Agenda Briefing Forum, it should be noted that there will be occasions when, due to necessity, items will not be ready in time for the forum session and will go straight to the Council agenda as a matter for decision. Further, there will be occasions when items are TABLED at the briefing rather than the full report being provided in advance. In these instances, staff will endeavour to include the item on the agenda as a late item.

### **AGENDA DISTRIBUTION**

The agenda will be distributed to Elected Members on the FRIDAY prior to the Agenda Briefing Forum. Copies will be made available to the libraries and the Internet for interested members of the public. Spare agendas will be available at the Agenda Briefing Forum for interested members of the public.

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**DEPUTATIONS**

Deputations may be heard prior to the commencement of an item.

The following guidelines have been prepared to assist groups who have requested or been invited to a Council Meeting, Agenda Briefing Forum or Committee Meeting to present a submission.

- (a) A deputation shall not exceed three (3) persons, only two of whom may address the meeting.
- (b) Notice of a request for Deputation including the name, office and contact details of members of the deputation **MUST** be forwarded to the Chief Executive Officer at least forty eight (48) hours prior to the meeting.
- (c) An outline of the points to be made in addressing the Council, Agenda Briefing Forum or Committee must be submitted in writing forty eight (48) hours prior to the meeting.
- (d) The representatives on the deputation must be met in the foyer of the Civic Centre by a Council Officer.
- (e) The Presiding Member will ask the leader of the deputation to present the submission on behalf of the Group. The leader of the deputation may call on one other member of the deputation to assist.
- (f) The deputation period, including time allowed for questions and answers from Members of the Committee, should not exceed fifteen (15) minutes. To allow adequate time for questions and answers, it is suggested the deputation address should last no longer than ten (10) minutes.
- (g) The individual or group will be advised in writing of the decision of the Council.
- (h) The Presiding Member has discretion to permit a Deputation to present a submission under other circumstances.

**RECORD OF BRIEFING**

The formal record of the briefing session will be limited to notes regarding any agreed action to be taken by staff or elected members. No recommendations will be included.

**QUESTION TIME**

Question Time will be limited to fifteen (15) minutes and be the first item of Business immediately following Apologies at the commencement of the meeting. Questions must relate to the ordinary business of the City of Melville or function of the Agenda Briefing Forum. A question must be submitted in writing and placed in the Question Tray prior to the commencement of the meeting.

- (a) The Presiding Member may, with absolute discretion, accept or reject the question, or determine that any complex questions requiring research, be answered in writing.
- (b) The Mayor may nominate a Member or Officer to answer the questions.
- (c) No debate or discussion will be permitted on any question or answer
- (d) In addition to question time during the meeting, the Mayor or Elected Members may make themselves available after the meeting to meet members of the public to answer any questions.

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## DISCLOSURE OF FINANCIAL INTERESTS LOCAL GOVERNMENT ACT 1995

### Members' interests in matters to be discussed at meetings to be disclosed

**S.5.65** A member who has an interest in any matter to be discussed at a Council or Committee meeting that will be attended by the member must disclose the nature of the interest –

- (a) in a written notice given to the Chief Executive Officer before the meeting; or
- (b) at the meeting immediately before the matter is discussed.

Penalty: \$10,000 or imprisonment for 2 years.

### Meeting to be informed of disclosures

**S.5.66** If a member has disclosed an interest in a written notice given to the Chief Executive Officer before a meeting then before the meeting –

- (a) the Chief Executive Officer is to cause the notice to be given to the person who is to preside at the meeting; and
- (b) the person who is to preside at the meeting is to bring the notice to the attention of the persons who attend the meeting.

### Disclosing members not to participate in meetings

**S.5.67** A member who makes a disclosure under Section 5.65 must not –

- (a) preside at the part of the meeting relating to the matter; or
- (b) participate in, or be present during, any discussion or decision making procedure relating to the matter,

unless, and to the extent that, the disclosing member is allowed to do so under Section 5.68 or 5.69.

Penalty: \$10,000 or imprisonment for 2 years.

**Please refer to your Handbook for definitions of interests and other detail.**



**14. AGENDA ITEMS FOR PRESENTATION**

<b>P15/3629</b>	<b>Retaining Wall and Site Works (Retrospective) at Lot 1 (No. 8) Klenk Road, Attadale</b>
	<p><b>OFFICER PRESENTATION</b> Joanne Wardell-Johnson – A/Planning Services Coordinator</p> <p><b>DEPUTATION PRESENTATION/S</b> Nil</p> <p><b>DISCLOSURE OF INTEREST</b> Nil</p> <p><b>NOTES FROM FORUM</b> No discussion took place regarding the item and officer recommendation.</p>

<b>P15/3630</b>	<b>Signage (Retrospective) at Lot 957 (Unit 6B, No. 110) Parry Avenue, Bull Creek</b>
	<p><b>OFFICER PRESENTATION</b> Joanne Wardell-Johnson – A/Planning Services Coordinator</p> <p><b>DEPUTATION PRESENTATION/S</b> Nil</p> <p><b>DISCLOSURE OF INTEREST</b> Nil</p> <p><b>NOTES FROM FORUM</b> General discussion took place regarding the item and officer recommendation.</p>

<b>P15/3631</b>	<b>Patio and Deck Addition to Existing Dwelling (Retrospective) at Lot 158 (No. 59) Mannion Way, Kardinya</b>
	<p><b>OFFICER PRESENTATION</b> Joanne Wardell-Johnson – A/Planning Services Coordinator</p> <p><b>DEPUTATION PRESENTATION/S</b> Nil</p> <p><b>DISCLOSURE OF INTEREST</b> Nil</p> <p><b>NOTES FROM FORUM</b> No discussion took place regarding the item and officer recommendation.</p>

At 6.44pm Mr Tieleman left the meeting and returned at 6.49pm

<b>P15/3632</b>	<b>Signage (Retrospective) at Lot 539 (No. 14) Riseley Street, Ardross</b>
	<p><b>OFFICER PRESENTATION</b> Joanne Wardell-Johnson – A/Planning Services Coordinator</p> <p><b>DEPUTATION PRESENTATION/S</b> Nil</p> <p><b>DISCLOSURE OF INTEREST</b> Nil</p> <p><b>NOTES FROM FORUM</b> Elected Members requested that information be provided for previous approvals granted for signage at the adjoining Red Rooster outlet (12 Riseley Street)</p> <p>This information will be provided to Elected Members in the Elected Members Bulletin.</p> <p>General discussion took place regarding the item and officer recommendation.</p>

<b>P15/3634</b>	<b>Retaining Walls (Retrospective) at Lot 430 (No. 3) Siddons Way, Booragoon</b>
	<p><b>OFFICER PRESENTATION</b> Joanne Wardell-Johnson – A/Planning Services Coordinator</p> <p><b>DEPUTATION PRESENTATION/S</b> Nil</p> <p><b>DISCLOSURE OF INTEREST</b> Nil</p> <p><b>NOTES FROM FORUM</b> No discussion took place regarding the item and officer recommendation.</p>

<b>P15/3635</b>	<b>Retaining Wall and Site Works (Retrospective) at Lot 298 (23) Glencoe Road, Ardross</b>
	<p><b>OFFICER PRESENTATION</b> Joanne Wardell-Johnson – A/Planning Services Coordinator</p> <p><b>DEPUTATION PRESENTATION/S</b> Nil</p> <p><b>DISCLOSURE OF INTEREST</b> Nil</p> <p><b>NOTES FROM FORUM</b> No discussion took place regarding the item and officer recommendation.</p>

At 7.47pm Mr Kellick left the meeting and returned at 7.49pm  
At 7.50pm Ms Wardell-Johnson left the meeting.

<b>P15/3636</b>	<b>Three Storey (With Undercroft) Multiple Dwelling Development (Three Units) at Lot 899 (18A) Tweeddale Road, Applecross</b>
	<p><b>OFFICER PRESENTATION</b> Peter Prendergast – Manager Statutory Planning</p> <p><b>DEPUTATION PRESENTATION/S</b> From 6.54pm until 7.09pm a deputation was heard from Mr Meshkin and Mr Wood, residents of the neighbouring buildings.</p> <p><b>DISCLOSURE OF INTEREST</b> Nil</p> <p><b>NOTES FROM FORUM</b> Elected Members requested that information be provided for previous planning approvals (2008) relating to retaining walls and subdivision.</p> <p>This information will be provided to Elected Members in the Elected Members Bulletin.</p> <p>General discussion took place regarding the item and officer recommendation.</p>

At 7.54pm Cr Schuster left the meeting and returned at 7.57pm

At 7.57pm Ms Young left the meeting and returned at 7.59pm

<b>P15/3628</b>	<b>Report on Submissions and Modifications to Local Planning Scheme Number 6 Following Advertising</b>
	<p><b>OFFICER PRESENTATION</b> Martin Spencer – Senior Strategic Urban Planning</p> <p><b>DEPUTATION PRESENTATION/S</b> From 7.52pm until 7.54pm a deputation was heard from Mr Tayne Evershed – Planning Solutions representing Fresh Produce WA</p> <p><b>DISCLOSURE OF INTEREST</b> Nil</p> <p><b>NOTES FROM FORUM</b> Elected Members requested that the proposed Omnibus Amendment include the adjusted Use Class Table to reflect the concerns expressed by Mr Evershed regarding where a market can be located.</p> <p>Elected Members requested that reference to the Environmental Protection Act 1988 in the report, be amended to read Environmental Protection Act 1986.</p> <p>General discussion took place regarding the item and officer recommendation.</p>

At 8.25pm Mr Hitchcock left the meeting and returned at 8.25pm  
At 8.25pm Mr Tieleman left the meeting and returned at 8.27pm

<b>P15/3633</b>	<b>Two Storey Dwelling With Undercroft at Lot 11 (No. 2A) Fraser Road, Applecross</b>
	<p><b>OFFICER PRESENTATION</b> Peter Prendergast – Manager Statutory Planning</p> <p><b>DEPUTATION PRESENTATION/S</b> Nil</p> <p><b>DISCLOSURE OF INTEREST</b> Nil</p> <p><b>NOTES FROM FORUM</b> No discussion took place regarding the item and officer recommendation.</p>

At 8.28pm Mr Prendergast left the meeting  
At 8.28pm Mr Hitchcock left the meeting and returned at 8.30pm  
At 8.28pm Cr Pazolli left the meeting and returned at 8.30pm

<b>CD15/8067</b>	<b>City of Melville Community Hubs</b>
	<p><b>OFFICER PRESENTATION</b> Leanne Hartill – Manager Neighbourhood Development</p> <p><b>DEPUTATION PRESENTATION/S</b> Nil</p> <p><b>DISCLOSURE OF INTEREST</b> Nil</p> <p><b>NOTES FROM FORUM</b> General discussion took place regarding the item and officer recommendation.</p>

<b>CD15/8071</b>	<b>Charitable Venue Hire</b>
	<p><b>OFFICER PRESENTATION</b> Christine Young – Director Community Development</p> <p><b>DEPUTATION PRESENTATION/S</b> Nil</p> <p><b>DISCLOSURE OF INTEREST</b> Nil</p> <p><b>NOTES FROM FORUM</b> No discussion took place regarding the item and officer recommendation.</p>

Ms Hartill left the meeting at 8.40pm

<b>M15/5418</b>	<b>Review of City of Melville Delegated Authority Manual</b>
	<p><b>OFFICER PRESENTATION – IF REQUESTED</b> Jeff Clark – Governance &amp; Compliance Program Manager</p> <p><b>DEPUTATION PRESENTATION/S</b> Nil</p> <p><b>DISCLOSURE OF INTEREST</b> Nil</p> <p><b>NOTES FROM FORUM</b></p> <p>Elected Members requested that information be provided as to why “subject to the affected Ward Councillors and Mayor being in agreement with the scheme” was deleted from the description in Delegation DA-085.</p> <p>This information will be provided to Elected Members in the Elected Members Bulletin.</p> <p>General discussion took place regarding the item and officer recommendation.</p>

Mr Nicholls and Mr Taylor entered the meeting at 8.49pm

<b>M15/5000</b>	<b>Common Seal Register</b>
	<p><b>OFFICER PRESENTATION – IF REQUESTED</b> Jeff Clark – Governance &amp; Compliance Program Manager</p> <p><b>DEPUTATION PRESENTATION/S</b> Nil</p> <p><b>DISCLOSURE OF INTEREST</b> Nil</p> <p><b>NOTES FROM FORUM</b>  No discussion took place regarding the item and officer recommendation.</p>

At 9.08pm Cr Schuster left the meeting and returned at 9.10pm

<b>C15/6080</b>	<b>Consideration of 2015-2016 Draft Budget Requests</b>
	<p><b>OFFICER PRESENTATION</b> Wayne Nicholls – A/ Senior Management Accountant</p> <p><b>DEPUTATION PRESENTATION/S</b> Nil</p> <p><b>DISCLOSURE OF INTEREST</b> Nil</p> <p><b>NOTES FROM FORUM</b> Elected Members requested clarification on the Bin Surround Program for 2015/2016.</p> <p>This information will be provided to Elected Members in the Elected Members Bulletin.</p> <p>General discussion took place regarding the item and officer recommendation.</p>

Mr Kellick left the meeting at 9.36pm

<b>C15/6081</b>	<b>Endorsement of Differential Rating for 2015/2016</b>
	<p><b>OFFICER PRESENTATION</b> Wayne Nicholls – A/ Senior Management Accountant</p> <p><b>DEPUTATION PRESENTATION/S</b> Nil</p> <p><b>DISCLOSURE OF INTEREST</b> Nil</p> <p><b>NOTES FROM FORUM</b> General discussion took place regarding the item and officer recommendation.</p>

Mr Spencer left the meeting at 9.48pm

<b>C15/6082</b>	<b>Annual Review of Fees and Charges</b>
	<p><b>OFFICER PRESENTATION</b> Wayne Nicholls – A/ Senior Management Accountant</p> <p><b>DEPUTATION PRESENTATION/S</b> Nil</p> <p><b>DISCLOSURE OF INTEREST</b> Nil</p> <p><b>NOTES FROM FORUM</b> General discussion took place regarding the item and officer recommendation.</p>

Mr Nicholls and Mr Taylor left the meeting at 8.49pm



<b>C15/6000</b>	<b>Investment Statements for March 2015</b>
	<p><b>OFFICER PRESENTATION – IF REQUESTED</b> Marten Tieleman – Director Corporate Services</p> <p><b>DEPUTATION PRESENTATION/S</b> Nil</p> <p><b>DISCLOSURE OF INTEREST</b> Nil</p> <p><b>NOTES FROM FORUM</b> No discussion took place regarding the item and officer recommendation.</p>

<b>C15/6001</b>	<b>Schedule of Accounts Paid for March 2015</b>
	<p><b>OFFICER PRESENTATION– IF REQUESTED</b> Marten Tieleman – Director Corporate Services</p> <p><b>DEPUTATION PRESENTATION/S</b> Nil</p> <p><b>DISCLOSURE OF INTEREST</b> Nil</p> <p><b>NOTES FROM FORUM</b> No discussion took place regarding the item and officer recommendation.</p>

<b>C15/6002</b>	<b>Statements of Financial Activity for March 2015</b>
	<p><b>OFFICER PRESENTATION – IF REQUESTED</b> Marten Tieleman – Director Corporate Services</p> <p><b>DEPUTATION PRESENTATION/S</b> Nil</p> <p><b>DISCLOSURE OF INTEREST</b> Nil</p> <p><b>NOTES FROM FORUM</b> No discussion took place regarding the item and officer recommendation.</p>

At 9.55pm His Worship the Mayor, having declared an interest in item, P15/3627 left the meeting.

In his absence the Deputy Mayor, Cr Foxton, assumed the chair as Presiding Member.

<b>P15/3627</b>	<b>Melville City Centre Land Exchange</b>
	<p><b>OFFICER PRESENTATION</b> Gavin Ponton – Manager Strategic Urban Planning</p> <p><b>DEPUTATION PRESENTATION/S</b> Nil</p> <p><b>DISCLOSURE OF INTEREST</b> Mayor Russell Aubrey – Proximity Interest</p> <p><b>NOTES FROM FORUM</b> General discussion took place regarding the item and officer recommendation.</p>

## **15. CLOSURE**

There being no further business, The Presiding Member declared the Forum closed at 10.10pm.